



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

MAILED

JAMES RUSSELL CLAYBROOK  
P.O. BOX 843  
NEW HAMPTON NY 10958

MAR 29 2010

OFFICE OF PETITIONS

In re Application of  
Noel P. Horkan  
Application No. 10/676,209  
Filed: October 1, 2003  
Attorney Docket No. HOR 101

: DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed December 15, 2009, and supplemented on March 26, 2010, to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an RCE and an amendment; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final rejection mailed April 12, 2005, is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This application is being referred to Technology Center AU 3711 for appropriate action by the Examiner in the normal course of business on the reply received December 15, 2009 (amendment) and on March 26, 2010 (RCE).

/KOC/  
Karen Creasy  
Petitions Examiner  
Office of Petitions